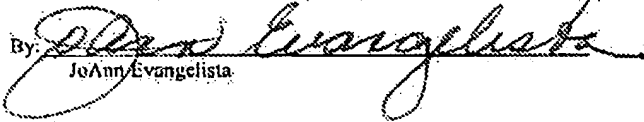


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**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE ---
EXAMINING GROUP 3739**

TOWNSEND and TOWNSEND and CREW LLP

By: 
JoAnn Evangelista

PATENT
Attorney Docket No.: 022128-000300US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MARK DEEM et al.

Application No.: 10/665,974

Filed: September 18, 2003

For: METHODS AND APPARATUS
FOR TREATMENT OF PATENT
FORAMEN OVALE

Customer No.: 20350

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Examiner: Michael F. Peffley

Technology Center/Art Unit: 3739

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3739**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed July 20, 2006 on the above-referenced application, please enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

[0040] FIG. 15 is a diagram of a catheter apparatus according to an embodiment of the present invention, having a balloon-expandable, non-resorbable patch closure device;

[0041] FIG. 16 is a diagram of a catheter apparatus according to an embodiment of the present invention, having non-resorbable patch members and a non-resorbable frame;

5 [0042] FIG. 17A is a diagram of a catheter apparatus according to an embodiment of the present invention, in position to weld a patch to tissues to close a PFO;

[0043] FIG. 17B is a diagram of a delivery catheter and patch according to an embodiment of the present invention;

10 [0044] FIGS. 18A and 18B are diagrams of a PFO patch according to an embodiment of the present invention;

[0045] FIG. 19 is a diagram of a locking PFO patch according to an embodiment of the present invention;

[0046] FIG. 20 is a diagram of a PFO patch according to an embodiment of the present invention in position across a PFO;

15 [0047] FIGS. 21A - 21C are diagrams of a catheter apparatus according to an embodiment of the present invention, having a backstop member for positioning a patch in a PFO;

[0048] FIGS. 22A and 22B are diagrams of a catheter apparatus according to an embodiment of the present invention, having an expandable PFO patch and a backstop member; and

20 [0049] FIGS. 23 - 26 are diagrams of various backstop members for use in catheter apparatus according to various embodiments of the present invention.

DETAILED DESCRIPTION OF THE INVENTION

25 [0050] Methods and apparatus of the invention generally provide for treating tissue adjacent a patent foramen ovale (PFO) to cause closure of the foramen. The methods and devices typically include a catheter device which can be advanced through the vasculature of a patient to position the distal end of the catheter near the PFO to provide treatment. Treatment apparatus disposed at or near the distal end of the catheter can then be used to treat at least a portion of the heart wall tissue surrounding the PFO, to cause the PFO to close. In
30 many embodiments, the treatment apparatus is used to transmit energy to a closure device